

# DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

60708

FILE: B-186086

DATE: April 2, 1976

MATTER OF: The Garrett Corporation

99114

## DIGEST:

Protest concerning defective solicitation received at GAO after opening date of solicitation and allegedly improper award made several months prior to receipt of protest is untimely filed under Bid Protest Procedures. Issues raised in protest are not of widespread interest sufficient to permit considering protest under "significant issue" exception to timeliness requirements of Procedures.

On March 12, 1976, a protest was received from The Garrett Corporation (Garrett) against the listing in Air Force solicitation No. F34601-76-R-2002 of Caprice Engineering Company (Caprice) as an approved source to manufacture Garrett's "PN 361361." Garrett also complained that the Air Force improperly awarded a contract to Caprice on September 29, 1975, under Purchase Requests (PR) Nos. 2030-76-26716 and 2030-76-27075. The September award is considered improper because information proprietary to Garrett was allegedly disclosed through the release of the PR's and because the Air Force failed to notify Garrett of "changes in such PR's."

The protest concerning the defect in solicitation F34601-76-R-2002 is untimely filed under GAO's Bid Protest Procedures (40 Fed. Reg. 17979 (1975)) because it was not received at our Office prior to the solicitation's opening date on March 10, 1976. The protest against the award under the 1975 Purchase Requests is untimely filed under our Procedures, supra, because it was made more than 10 working days after October 7, 1975 (the date on which Garrett says it received notice of award under the Purchase Requests), which was when the bases of protest (assuming they were not known earlier) would have been known to the company.

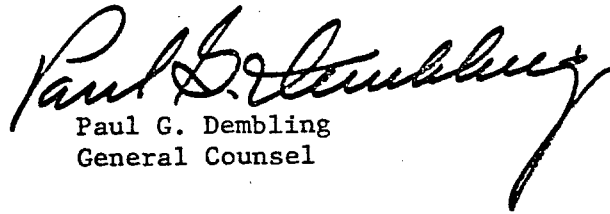
Argument is also made that the protests should be considered under the "significant issue" exception to the timeliness requirements of our Bid Protest Procedures, supra.

"Issues significant to procurement practices or procedures" refer to the presence of principles of widespread interest and not

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necessarily to the sums of money involved. Fairchild Industries, Inc.--request for reconsideration, B-184655, October 30, 1975, 75-2 CPD 264; 52 Comp. Gen. 20 (1972). We do not agree that the propriety of the listing of Caprice as an approved source or any other issues raised involve questions of widespread interest under the rationale of the cited case.

Garrett's protest will not be further considered.

  
Paul G. Dembling  
General Counsel